

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:08CR221
Plaintiff,)	
)	
vs.)	ORDER
)	
GONZALO GAONA-LOZANO,)	
)	
Defendant.)	

This matter is before the court on the motion for an extension of time by defendant Gonzalo Gaona-Lozano (Gaona-Lozano) (Filing No. 33). Gaona-Lozano seeks an additional forty-five days in which to file pretrial motions in accordance with the progression order. Gaona-Lozano's counsel represents that government's counsel has no objections to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Gaona-Lozano's motion for an extension of time (Filing No. 33) is granted. Gaona-Lozano is given until **on or before December 15, 2008**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **October 30, 2008 and December 15, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 30th day of October, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge